

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM M. JONES,  
Petitioner,

v.

WARREN L. MONTGOMERY,  
Respondent.

Case No. [23-cv-02143-JD](#)

**ORDER OF TRANSFER**

This is a habeas case filed pro se by a state prisoner. Petitioner challenges the denial by the Board of Parole Hearings of his request to advance his next parole hearing. Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d). If the petition is directed to the manner in which a sentence is being executed, e.g., if it involves parole or time credits claims, the district of confinement is the preferable forum. *See* Habeas L.R. 2254-3(b)(2); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Petitioner was convicted in Alameda County which is in this district. But the Board of Parole Hearings denial occurred at Calipatria State Prison, where petitioner is still incarcerated. That facility is in Imperial County, in the Southern District of California. *See* 28 U.S.C. § 84(d).

Consequently, the case is transferred to the United States District Court for the Southern District of California. *See* 28 U.S.C. §§ 1404(a), 2241(d); Habeas L.R. 2254-3.

**IT IS SO ORDERED.**

Dated: June 14, 2023

  
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JAMES DONATO  
United States District Judge